

ORIGINAL

**IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF MARYLAND (BALTIMORE DIVISION)**

**THE CIT GROUP/EQUIPMENT FINANCING, INC.,** \*

**PLAINTIFF,** \*

**V.** \*

**CASE NO. 03-CV-00197**

**THE LANDMARK ASSOCIATED COMPANIES, INC.,** \*

**DEFENDANT.** \*

\* \* \* \* \*

**AFFIDAVIT OF BRAD KESLER**

I, Brad Kesler, being over eighteen (18) years of age and competent to testify, have personal knowledge of the facts herein stated and testify as follows:

1. I am a licensed private investigator employed by Metropolitan Recovery Systems, Inc. ("Metropolitan"). I am authorized to make this affidavit on behalf of Metropolitan.

2. Plaintiff, The CIT Group/Equipment Financing, Inc. ("CIT"), retained Metropolitan's services for the purpose of determining the location of the equipment subject to this litigation and the related matter, *The CIT Group/Equipment Financing, Inc. v. Gregory*, Case No. JMF-03-CV-1284 (the "Equipment"), and to recover the Equipment if possible.

3. I investigated this matter and confirmed that certain units of the Equipment are or were located at the following locations:

The Landmark Associated Companies, Inc.  
1021 Skidmore Drive  
Annapolis, MD 21401

Poolesville Concrete  
16800 Darnestown Road  
Poolesville, MD

Land Mark Corp.  
1046 E. College Parkway  
Annapolis, MD 21401

David Campbell  
793 Fairview Avenue  
Annapolis, MD 21403.

Smith Brothers, Inc.  
4703 Woodfield Road  
Galesville, MD 20765

**EXHIBIT**

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4. Each of these locations is believed to be controlled by persons sympathetic to the defendant and its principal, Robert R. Gregory, Jr., or by Mr. Gregory himself.

5. All locations are locked, secured and/or guarded and will require the use of some force to gain access to CIT's Equipment stored therein.

6. Mr. Gregory has moved the Equipment on prior occasions and may remove units at any time from their present locations to new locations.

7. I have on several occasions observed Robert R. Gregory, Jr. sitting in his pickup truck at the 1021 Skidmore Drive, Annapolis, MD, 21401 location, apparently guarding the Equipment stored thereon.

8. I have observed Mr. Gregory in possession of a shotgun and a baseball bat while guarding the Equipment.

I SOLEMNLY AFFIRM under the penalties of perjury and upon personal knowledge that the contents of the foregoing affidavit are true and correct.

June 17, 2003  
Date

**METROPOLITAN RECOVERY SYSTEMS, INC.**

By: 

Brad Kesler, Private Investigator